

# ***First Circuit Opinion Summaries by Findlaw***

- [First Circuit Opinion Summaries by Findlaw](#) - with links to full-text opinions arranged by month.

## **Most Recent Summaries**

### **Evergreen Partnering Group v. Pactiv Corp.**

August 2, 2016

Antitrust & Trade Regulation

(United States First Circuit) - In a suit claiming a violation of Sherman Act section 1, 15 U.S.C. section 1, brought by the producer of recycled polystyrene resin for use in 'green foam' products, alleging the five largest converters of polystyrene products through a trade association refused in concert to deal with plaintiff in order to prevent polystyrene recycling from becoming viable and maintain their respective market positions, the District Court's grant of summary judgment to defendants is affirmed where defendant failed to present evidence that tended to exclude the possibility that each polystyrene manufacturer independently chose not to partner with plaintiff as required by *Matsushita Electric Industrial Co., Ltd. v. Zenith Radio Corp.*, 475 U.S. 574 (1986).

### **US v. Colon-de Jesus**

July 29, 2016

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Sentence for guilty plea to knowingly possessing a firearm and ammunition after having been convicted of a felony, 18 U.S.C. sections 922(g)(1) and 924(a)(2), is affirmed over defendant's challenges to both the substantive reasonableness of his upwardly variant sentence and a financial disclosure condition incident to his supervised release term.

### **Fischer v. Colvin**

July 29, 2016

Government Benefits, Administrative Law

(United States First Circuit) - In a case in which an Administrative Law Judge's (ALJ) decision denied petitioner's claim for disability insurance benefits (DIB) under the Social Security Act, the District Court's judgment, finding that the ALJ erred as a matter of law when he failed to consult a medical expert before reaching this conclusion, is reversed where: 1) the medical evidence was not ambiguous and thus the ALJ did not need to draw inferences as to whether petitioner's onset date preceded the expiration of her insured status; and hence 2) SSR 83-20 did not require the ALJ to consult a medical expert.